<u>CRIMINAL JURY TRIAL</u>

CRIMINAL CASE NO. <u>CR-17-239-D</u>   DATE <u>February 13, 2019</u>

STYLE: UNITED STATES v. <u>Jerry Drake Varnell</u>

PROCEEDINGS: (FURTHER) NON-JURY TRIAL   (FURTHER) <u>JURY TRIAL</u>

COMMENCED <u>9:00</u>   ENDED   <u>12:15</u>
                                                                                   TOTAL TIME: <u>6</u> Hrs. <u>35</u> Mins.
COMMENCED <u>1:30</u>   ENDED   <u>5:30</u>

JUDGE Timothy D. DeGiusti   DEPUTY CLERK Mike Bailey   REPORTER Christy Clark

Gov't counsel <u>Matthew Dillon, Mark Stoneman</u>
Dft counsel <u>Marna Franklin, Vicki Behenna</u>

<u>Enter as above.</u>   <u>Dft(s) appear(s) in person.</u>   <u>Parties announce ready</u>

Jury duly empaneled and admonished.   Rule invoked on mtn of plf - dft

Plf - Dft make opening statement.   Dft defers same until close of plf's evidence

<u>Plf (presents - continues) case in chief with testimony of witnesses</u>.

Plf's exhibits admitted. <u>1, 2, 3, 4, 100, 101, 102, 105, 111, 112, 113, 201, 202, 203, 204, 205</u>

Dft's exhibits admitted. <u>3, 5, 27, 28, 29</u>

Plf rests.   Dft's Rule 29 mtn for _____   GRANTED   DENIED   UNDER ADVISEMENT

Dft makes opening statement.

Dft (presents - continues) case in chief with testimony of witnesses and rests.

Plf presents rebuttal evidence with testimony of witnesses and rests.

Dft presents surrebuttal evidence with testimony of witnesses and rests.

Parties rest.   Dft renews mtn for _____   GRANTED   DENIED

Closing arguments. _____   Court instructs the jury. _____   Bailiff sworn. _____

Jury retires to deliberate at _____.   Jury returns with verdict of (Guilty) on counts____ at____.

               Is polled.   Is discharged.

Case referred to probation office.

<u>Dft</u> (stands on present bond - remanded to U.S. Marshal) awaiting sentencing.

Bond set at $_____   (cash - surety)

Clerk to prepare and file judgment on jury verdict.

Court orders dft acquitted - Bond exonerated - Released from custody

Court Order: <u>Trial to resume at 9:00 a.m., February 14, 2019</u>

CASE NO. <u>CR-17-239-D</u>   DEPUTY M. Bailey JUDGE Timothy D. DeGiusti DATE <u>Feb. 13, 2019</u>

WITNESSES FOR PLAINTIFF

1.   <u>Brent Elisens</u>

2.

3.

4.

5.

6.

7.

8.

9.

10.

WITNESSES FOR DEFENDANT

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.